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AUG 21 2009

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MEMO ENDORSED

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20 August 2009

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Via Federal Express

Hon. Richard M. Berman
United States District Court
Southern District of New York
500 Pearl Street, Room 1320
New York, New York 10007

Re: *United States vs. Aafia Siddiqui*
08 Crim. 826 (RMB)

Dear Judge Berman:

I write on behalf of myself, Ms. Elaine Sharp and Mr. Charles Swift to supplement and more fully describe for the Court the terms and conditions of our representation of Dr. Aafia Siddiqui.

We have been retained to represent Dr. Siddiqui by the Government of Pakistan under the auspices of the Islamic Republic of Pakistan, through its Embassy in Washington, D.C. Our representation, both contractually and professionally, commits us to Ms. Siddiqui's defense until the completion of the case in the district court. The agreement is exclusively for the benefit of Dr. Siddiqui and presents no ethical conflicts to our representation. There are no contingencies and no conditions that would terminate such representation. Finally, although the family of Dr. Siddiqui participated in our selection and our agreement to represent Dr. Siddiqui is exclusively for her benefit, neither the family of Dr. Siddiqui nor Dr. Siddiqui herself exercise any control over the funds paid under the agreement. We are in this case, with Your Honor's approval, until completion. I hope these assurances answer any questions Your Honor has regarding our commitment to Dr. Siddiqui's defense.

Apparently, some concerns have been voiced regarding the Protective Order in this case, ECF Doc. 39, filed March 12, 2009, and our ability to abide by such Order. I can speak for myself and inform Your Honor that this is the fifth such order I will sign, having violated no others.¹ Both Mr. Swift and I have security clearances; thus, we are more conscious of our obligations than most in this sensitive area. In fact, we believed once we filed our respective Notices of Appearance, we became bound by the Protective Order without having to sign a further guarantee of confidentiality such as a

¹ The other cases include *United States vs. Sami al-Arian*, *United States vs. Holy Land Foundation, et al.*, *United States vs. Muthanna al Hanooti*, and *Mohamedou Ould Slahi vs. Barack Obama, et al.*

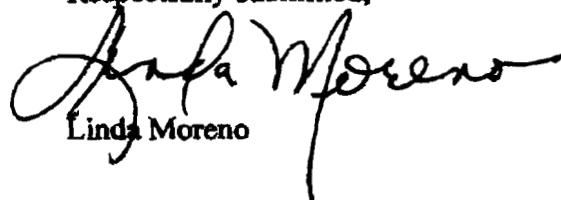
Memorandum of Understanding. Ms. Sharp has also been apprised of the Order and understands its application and has signed many similar protective orders in her legal career.

We understand the Court has designated current CJA counsel to continue in their current capacity and acknowledge the Court's directives.

We would respectfully request that Your Honor grant our Motions *Pro Hac Vice* and direct the clerk to file and docket our Notices of Appearances at the earliest opportunity. Your prompt approval would allow us access to the discovery so that we may effectively prepare for trial on behalf of Dr. Siddiqui.

In closing, we thank you for facilitating a telephone call between Dr. Siddiqui and her family, and counsel.

Respectfully submitted,


Linda Moreno

Cc: Elaine Sharp
Charles Swift
Dawn Cardi
Chad Edgar
Assistant United States Attorneys
(By Electronic Mail)

We'll need to work this out at the
next conference. In any event, there
has to be coordination among
counsel + one who is recognized as
"lead" counsel. At this time, that is
Ms. Cardi.

SO ORDERED:

Date: 8/21/09


Richard M. Berman

Richard M. Berman, U.S.D.J.